

United States Department of Agriculture,
OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT No. 257, FOOD AND DRUGS ACT.

ADULTERATION OF HERRING.

On or about December 15, 1909, J. H. Crilly, Alexandria, Va., shipped from the State of Virginia to the District of Columbia 55 barrels of herring. Analysis of samples of this product made in the Bureau of Chemistry, United States Department of Agriculture, showed it to be adulterated within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States attorney for the District of Columbia.

In due course a libel was filed against the said 55 barrels of herring, charging adulteration within the meaning of the act, in that they were in a filthy, putrid condition, infested with maggots, and wholly unfit for human consumption.

No response or answer having been filed to the libel and the case coming on for final hearing on January 11, 1910, the court rendered its decree of condemnation and forfeiture in substance and in form as follows:

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA HOLDING A DISTRICT COURT.

UNITED STATES OF AMERICA	}	District No. 857.
vs.		
FIFTY-FIVE BARRELS OF HERRING.		

JUDGMENT OF CONDEMNATION.

Upon motion of the United States for judgment of condemnation in the above entitled cause, and it appearing to the Court that upon the libel filed herein on the fifteenth day of December, A. D. 1909, the Marshal of the United States for the District of Columbia has seized fifty-five barrels of herring, and it further appearing that the said barrels of herring were found in the possession of The J. A. Whitfield Company, a body corporate, and that the said J. A. Whitfield

Company was offering the said barrels of herring and each of them for sale in the District of Columbia, and that the said barrels of herring were transported from the state of Virginia to the District of Columbia, and remained unsold in said District in original unbroken packages, and that a copy of the writ was duly served upon The J. A. Whitfield Company by the said Marshal of the United States and a copy of the same duly affixed to the Court-house door, and that the time for filing the response or answer having expired, and that no response or answer having been filed to said libel, and no objection being signified to the Court; and it further appearing that the contents of the said barrels of herring and each of them are in a filthy and putrid condition and infested with maggots, and wholly unfit for human consumption;

It is by the Court, this eleventh day of January, A. D. 1910,

Adjudged, ordered and decreed: That the contents of the said fifty-five barrels of herring in the custody of the said Marshal of the United States are adulterated within the meaning of the Act of Congress approved June 30, A. D. 1906.

It is further ordered: That the said contents of the said barrels of herring and each of them be and they are hereby condemned, and shall be destroyed by the said Marshal of the United States in such manner as provided by the said Act of Congress approved June 30, A. D. 1906.

It is further ordered: That the said J. A. Whitfield Company pay all the costs of these proceedings.

By the Court.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *March 8, 1910.*

